

From: [MCCLINCY Matt](#)
To: [Eric Blischke/R10/USEPA/US@EPA](#); [Chip Humphrey/R10/USEPA/US@EPA](#)
Cc: [ANDERSON Jim M](#)
Subject: RE: Project Update and TCT Agenda
Date: 11/30/2010 02:48 PM

Chip and Eric,

It does not look like DEQ was copied on EPA's comments on the LWG FS Source Tables. Can you forward these.

Thanks, Matt

-----Original Message-----

From: Blischke.Eric@epamail.epa.gov [mailto:Blischke.Eric@epamail.epa.gov]
Sent: Tuesday, November 30, 2010 1:16 PM
To: Shephard.Burt@epamail.epa.gov; Humphrey.Chip@epamail.epa.gov; GAINER Tom; Grepogrove.Gina@epamail.epa.gov; PETERSON Jenn L; jeremy_buck@fws.gov; ANDERSON Jim M; Goulet.Joe@epamail.epa.gov; Smith.Judy@epamail.epa.gov; Koch.Kristine@epamail.epa.gov; MCCLINCY Matt; POULSEN Mike; Fuentes.Rene@epamail.epa.gov; Robert.Neely@noaa.gov; Sheldrake.Sean@epamail.epa.gov; tomd@ctsi.nsn.us; rose@yakama.com; erin.madden@gmail.com; jay.field@noaa.gov; Cora.Lori@epamail.epa.gov; Ader.Mark@epamail.epa.gov; audiehuber@ctuir.com; Lisa.BlueLake@grandronde.org; Fleming.Sheila@epamail.epa.gov; Benjamin Shorr; LavelleJM@cdm.com; Mary.Baker@noaa.gov; Michael.Karnosh@grandronde.org; FARRER David.G; dallen@stratusconsulting.com; jpeers@stratusconsulting.com; Bob Dexter; cunninghame@gorge.net; JMalek@parametrix.com; nancy.munn@noaa.gov; jweis@hk-law.com; Brad Hermanson; frenchrd@cdm.com; ryan@davissudbury.com; Smith.Judy@epamail.epa.gov; genevieve.angle@noaa.gov; TARNOW Karen E; Jessica.Winter@noaa.gov; mspece@parametrix.com; Allen.Elizabeth@epamail.epa.gov; colin@ridolfi.com; AEBbets@stratusconsulting.com
Cc: Gustavson.Karl@epamail.epa.gov; Yamamoto.Deb@epamail.epa.gov
Subject: Project Update and TCT Agenda

We will be having a TCT meeting on Wednesday, December 1st beginning at 9:00 am. In Portland, we will be meeting at DEQ NWR, Conference Room. The usual TCT number will be available - **Non-Responsive** The project update outlined below will serve as an agenda for the meeting. The project update time are in training so I will be doing this solo and there will not be any early action updates unless Sean can break away. I expect that DEQ will do an upland update.

Project Update:

RI and BRA Comment Resolution:

On November, 18, 2010, the LWG sent EPA their responses to the non-directive comments. In general, the comments accurately reflect our agreements and the majority of the comments are considered resolved. However, there are a number of comments that remain outstanding. A summary of these comments and our proposed resolution is described below. At this time, I am unaware of any additional outstanding unresolved comments. However, if anyone has them, please feel free to raise them during the TCT.

RI Comment - Linking Sources to In-Water Contamination: Our comment requested that the LWG evaluate the magnitude of upland contamination associated with various migration pathways to help understand the linkage between upland and in-water contamination. This information would be primarily presented in a revised CSM (Section 10 of the RI Report). This comment was first raised during our review of the 2007 Round 2 Report. At that time, we reached an agreement with the LWG that the chemical by chemical CSM in the RI Report would be similar to the site-wide CSM for PCBs presented in Section 11.2 of the Round 2 Report. As stated in comment G-9, "In many cases, the information on potential upland sources is more general than what was previously provided in Section 11.3 (CSM for IAOPCs) section as part of the Round 2 report or upland site summaries."

In order to resolve this comment, I developed a CSM outline that summarized the information that we would like to see in the revised CSM (attached). In the comment resolution document, the LWG states that "The LWG feels that additional effort only adds marginal value to the RI and it will add 4-6 weeks to the RI revisions schedule; we therefore do not intend to incorporate the request."

Proposed Resolution: EPA is prepared to direct the LWG to make the requested revisions to the RI report. EPA believes that this comment has been made previously during our review of the Round 2 Report and that our expectations for the RI Report CSM were clear.

RI Comment - Data Lockdown Date: Our comment requested that the LWG "Expand the data set for the RI to include data collected subsequent to June 2008." On November 1, 2010, the LWG developed a proposal for addressing the comment that included updating the RI data base but did not agree to update certain maps and figures in the RI Report. The LWG proposal and the EPA response is attached.

Proposed Resolution: EPA is prepared to direct the LWG to make the requested revisions to the RI report. EPA believes that the recently collected data, in particular data collected in the vicinity of the International Slip, RM 11E and the Downtown Reach are important to the RI from the standpoint of either nature and extent of contamination or the CSM. In addition, it is important that the RI Report be as up to date as reasonably possible since it represents a comprehensive summary of site conditions that will be referred to for many years in the future. Finally, the previously established data lockdown date of June 2008, will be approximately 3 years old by the time a final RI report is received.

RI Comment - Background Statistical Outliers: EPA previously directed the LWG to exclude

statistical outliers that were geographically clustered from the background data set. However, EPA did allow the LWG to present background statistics with the outliers retained in the data set. Although the resolution states that EPA agrees with the response, during our discussions with the LWG, it was agreed that some revisions for clarity will be made. This is not reflected in the LWG response.

Proposed Resolution: EPA will note that some revisions for clarity will be made.

HHRA Comment - Inclusion of the PBDE Fish Tissue Data in the BHHRA: This comment was provided to the LWG as part of our data lockdown comment with respect to the RI Report. In the LWG response to comments the LWG stated that the PBDE analysis was for the purpose of method development and would not be used in the Portland Harbor RI/FS. I can not find any record of any agreement with the LWG regarding the use of the PBDE data. However internal communication suggests that the data would be used to: Assess risk within Portland Harbor, support regional watershed efforts, monitor the effectiveness of the site remedy with respect to PBDEs.

Proposed Resolution: EPA is prepared to direct the LWG to present the risks associated with PBDEs in bass and carp tissue. At this point, we have not developed BSAFs or BSARs for PBDEs nor have we considered PBDEs in the food web model. As a result, we do not currently anticipate developing PRGs for PBDEs. However, we would expect that long term monitoring efforts will consider PBDEs.

BERA Comment - Assessing Risk at the Individual Sample Scale: EPA specific comment 122 states in part: "Present individual composite risk, not using a 95% UCL concentration." In the response to comments, the LWG agrees to present location specific TRV exceedances for individual samples but also states that the limited spatial extent and/or low magnitude of the HQ exceedance are not necessarily ecologically significant. However the resolution is not clear that a composite by composite evaluation of tissue TRV exceedances will be performed consistent with the Problem Formulation.

Proposed Resolution: EPA will reiterate our expectation that a composite by composite comparison will be performed.

BERA Comment - SLERA/Refined Screen Process: The LWG agreed to revise the description of the SLERA and the Refined Screen and to clearly identify the chemicals that were screened out at each step. It is unclear whether the SLERA and/or the refined screen were performed incorrectly. Jennifer Peterson has stated in her comments on the status of the comment: "Currently, DEQ does not agree with the Refined Screen Process as it is applied to all media. Detection of chemicals in sediment and composites of carp, large scale sucker, northern pike minnow, peamouth, lamprey, mussels, etc can be removed from the screening process. For sediment, it is unclear if the additional consideration of three or more contiguous samples was applied to the screening process before removal. Also, for tissue an individual sample did not produce an HQ>5 it was dropped from further evaluation. This was not a component of the Problem Formulation. We would want to see all samples with HQ>1 carried through. Finally, the criteria of "log Kow>4" should not be applied to tissue. This is meant to be an indicator of bioaccumulation from sediment to tissue, but if a chemical is detected in tissue it needs to be evaluated. The best way to resolve this issue would be to submit the additional Revised Screen documentation for review prior to finalizing comment."

Proposed Resolution: EPA is prepared to agree with the LWG proposed resolution. It is highly unlikely that any chemicals that pose a potentially unacceptable risk to ecological receptors have been screened out during the screening step since maximum concentrations are used for the screening step. It should be noted that EPA performed the SLERA as part of its comments on the Round 2 Report. Although this did not include the incorporation of Round 3 data, it is clear from a review of Attachment 5 that the LWG included the Round 3 data in the screening step. Table 3-6 presents the highest PCB detection in Carp of 25,100 ug/kg which is a round 3 sample. EPA is prepared to agree with the LWG response to present the results more clearly. If there are any issues with the SLERA and/or refined screen, we will be able to identify them at that time.

BERA Comment - Use of BSAFs/BSARs in shorebird calculations: The LWG did not include BSARs to estimate dietary concentrations because they claim that the BSARs had an r squared value below 0.3. However, it is unclear whether BSARs were developed for chemicals that were also modeled using the mechanistic food web model. As a result, it is not possible to evaluate the r squared values for these chemicals. A summary of this issue is attached.

Proposed Resolution: EPA is prepared to direct the LWG to develop BSARs for the purpose of estimating the dietary contribution of invertebrates for shorebirds in areas where empirical invertebrate data is unavailable. This approach is consistent with the problem formulation.

BERA Comment - Include HQs in Summary Tables: EPA commented that HQs should be presented (rather than an "X") in the risk assessment summary tables. The LWG countered that this was a complex endeavor. In order to resolve the comment, EPA provided example tables to the LWG. In the LWG's proposed resolution, the LWG states that "EPA agreed that it is acceptable to present tables summarizing the chemicals with HQs greater than 1.0 using X's (e.g., Tables 7-39, 11-1), so long as subsequent tables summarizing the risks for a receptor group (e.g., Table 7-40) or multiple receptor groups (e.g., Table 11-2) provide sufficient information to characterize the magnitude, extent, and ecological significance of risks. EPA also agreed that HQs are not required for tables showing the results of screening calculations." It is unclear whether this approach is adequate.

Proposed Resolution: EPA will reiterate that HQ's must be presented where it makes sense consistent with the example tables provided to the LWG.

FS Alternative Screening Meetings:

EPA and the LWG scheduled a series of Remedial Action Alternative Screening Meetings for December 7th (FS Tools Meeting) and December 14th (Alternative Screening Meeting). A Fate and Transport Modeling Meeting was also scheduled for December 1st. As late as our October 28th Management Team meeting, it appeared that the meetings were on track with advance materials to be delivered on November 18th and November 26th. On November 17th, we were informed by the LWG that they were not

ready to have the meetings. We had a detailed discussion with the LWG management team on Friday November 19th. During this meeting, we reaffirmed our desire to have the meetings, that they were critical for keeping the FS on track and that the proposed cancellation was on very short notice. The LWG indicated that they would discuss with their Executive Team on November 24th and get back to us.

On November 29th, Chip and I spoke to Bob Wyatt to see where the LWG was. Bob proposed cancelling the December 7th meeting, and having a limited FS tools meeting on December 14th. This falls far short of our expectations. When pressed about when we would have the Alternative Screening Meeting, Bob was unwilling to commit to a date only saying that the meeting would occur sometime in the first quarter of next year.

This approach would not allow us to meet the June 2011 FS delivery date.

The LWG claims that they have not been able to complete their internal review of the meeting information that was presented to the LWG by their consultants on November 6th because they have been busy working to resolve the RI and RA comments we submitted back in July. In addition, the LWG is concerned about how unresolved comments on the RA may affect the draft FS. Specific comments include the following:

- Evaluation of PBDEs in fish tissue
- Combining the adult and child exposure scenarios
- Breast milk pathway
- Benthic Risk
- Consideration of all HQ's > 1 in the FS.

For the first three, we have indicated to the LWG that updated PRGs were not needed for the draft FS. For the last two, we have an agreed upon path forward that we are currently pursuing.

At this point, we are looking at ways of keeping the FS on schedule.

One option is for the LWG to present an overview of the screening step and the MNR evaluation on December 14th with the goal of giving the government team enough information to provide the LWG with a set of directions for the screening step and have the LWG go ahead and produce the FS for delivery on June 15, 2010. Further discussion with the LWG is expected to take place following the LWG's December 1st executive team meeting. Once we have more information, we develop a updated meeting schedule.

Benthic Risk Evaluation:

On November 4, 2010, we held a meeting with the LWG to develop a path forward for resolving the benthic risk evaluation. Key elements of the discussion included reaching resolution on the hit/no-hit classifications and the application of the two predictive models. A follow-up meeting is scheduled for Wednesday afternoon following the TCT call. In general, I believe that this is on track.

FS Source Tables:

EPA sent out comments on the FS Source Tables last week. The comments on the source tables were primarily developed by DEQ.

Eric

(See attached file: SourceCSMOOutline.doc)(See attached file: EPA Response to LWG Data Lockdown Proposal.doc)(See attached file: Shorebird Assessment.doc)